

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

Jeho Kim,

Plaintiff,

v.

Anytime Soju, Inc and Seungeun Jeong,

Defendants,

Index No. 22-CV-7049

~~[PROPOSED]~~

RULE 68 JUDGMENT

WHEREAS, pursuant to Rule 68 of the Federal Rules of Civil Procedure, Defendants Anytime Soju, Inc and Seungeun Jeong (collectively, “Defendants”), having offered to allow Jeho Kim (“Plaintiff”) to take a judgment against them, in the sum of Seventeen Thousand Five Hundred Dollars and No Cents (\$17,500.00), with respect to Plaintiff’s claims for relief, damages, fees, expenses, disbursements, and attorneys’ fees incurred in this action, in accordance with the terms and conditions of Defendants’ Rule 68 Offer, dated June 27, 2023, and filed as Exhibit A to Docket Number 46;

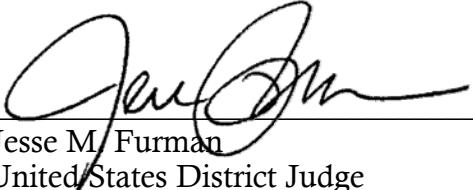
WHEREAS, on June 27, 2023, Plaintiff’s attorney having confirmed Plaintiff’s acceptance of Defendants’ Offer of Judgment (Dkt. No. 46);

It is **ORDERED** and **ADJUDGED**, that judgment is entered in favor of Plaintiff Jeho Kim, in the sum of Seventeen Thousand Five Hundred Dollars and No Cents (\$17,500.00), in accordance with the terms and conditions of Defendants’ Rule 68 Offer, dated June 27, 2023, and filed as Exhibit A to Docket Number 46.

Dated: June 28, 2023
New York, New York

Any pending motions are moot. All
conferences are vacated. The Clerk of Court
is directed to close the case.

By:


Jesse M. Furman
United States District Judge

UNITED STATES DISTRICT COURT
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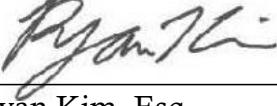
NOTICE OF ACCEPTANCE

Pursuant to Rule 68 of the Federal Rules of Civil Procedure, Plaintiff Jeho Kim hereby accepts and provides notice that he has accepted Defendants' Offer of Judgment, dated June 27, 2023, and annexed hereto as **Exhibit A**.

Dated: June 27, 2023.

Respectfully submitted,

By:



Ryan Kim, Esq.
Ryan Kim Law, P.C.
222 Bruce Reynolds Blvd. Suite 490
Fort Lee, NJ 07024
Tel.: (718) 573-1111
Attorney for Plaintiff

CERTIFICATE OF SERVICE

I hereby certify that on June 27, 2023, I caused service of Plaintiff's Notice of Acceptance of Offer of Judgment to be served, via electronic mail, upon Defendants' counsel of record in this matter:

Younghoon Ji, Esq.
Ahne & Ji, LLP
45 East 34th Street, 5th Floor
New York, New York 10016
Email: yji@ahnejillp.com

By: /s/ Ryan Kim
Ryan Kim, Esq.

Ryan Kim Law, P.C.
222 Bruce Reynolds Blvd. Suite 490
Fort Lee, NJ 07024
Tel.: (718) 573-1111
Attorney for Plaintiff

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

Jeho Kim,

Plaintiff,

v.

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Defendants,

Index No. 22-CV-7049

OFFER OF JUDGMENT

Pursuant to Rule 68 of the Federal Rules of Civil Procedure, Defendants Anytime Soju, Inc and Seungeun Jeong (collectively, “Defendants”) hereby offer to allow judgment to be taken against them, jointly and severally, and in favor of Plaintiff Jeho Kim (“Plaintiff”), in the sum of Seventeen Thousand Five Hundred Dollars and No Cents (\$17,500.00), inclusive of all of Plaintiff’s claims for relief, damages, fees, costs, expenses, disbursements, attorneys’ fees, accountants’ fees, and experts’ fees incurred in the above-captioned matter as of the date of this offer in complete satisfaction of all claims raised against Defendants in this action, including but not limited to, Claim for Failure to Pay Minimum Wages under the FLSA (Count One), Claim for Failure to Pay Overtime Wages under the FLSA (Count Two), Claim for Illegal Retention of Gratuities Under the FLSA (Count Three), Claim for Unpaid Minimum Wages brought under the NYLL (Count Four), Claim for Unpaid Overtime Wages brought under the NYLL (Count Five), Claim for Illegal Retention of Gratuities Under the NYLL (Count Six), Claim for Failure to Pay Wages for All Hours Worked/Straight Time Wages (Count Seven), Claim for Failure to Issue Wage Notices (Count Eight), Claim for Failure to Furnish Wage Statements/Paystubs (Count Nine), FLSA Collective Claims for Unpaid Minimum Wages, Overtime Wages, and Liquidated Damages, Rule 23 Class Action Claims for Unpaid Minimum Wages, Overtime Wages, Liquidated Damages, Illegal

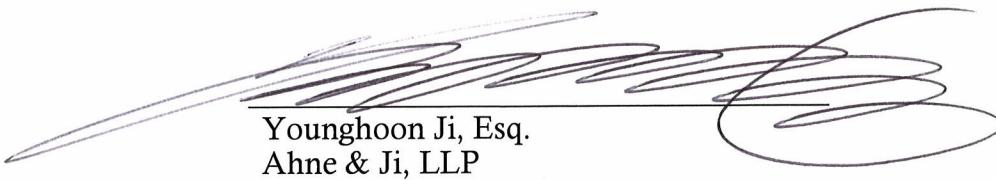
Retention of Gratuities, Failure to Pay Wages for All Hours Worked/Straight Time Wage, Failure to Issue Wage Notices, and Failure to Furnish Wage Statements/Paystubs, Claim for pre-judgment and post-judgment interests under the FLSA, claim for pre-judgment and post-judgment interests under the NYLL, and claim for Defendant's willful violation.

This Offer of Judgment is made solely for the purposes specified in Federal Rule of Civil Procedure 68, and neither this Offer of Judgment nor any judgment that may result from this Offer of Judgment shall be construed as either an admission of liability on the part of Defendants, or any of them, or that any allegations of the Complaint are true, or that Plaintiff has suffered any damages, or is in any way entitled to recovery of any additional sums, such as costs and/or attorneys' fees.

This Offer of Judgment is made pursuant to the provisions of Rule 68 of the Federal Rules of Civil Procedure and shall be deemed withdrawn unless Plaintiff serves written notice of his acceptance within fourteen (14) days of the date on which this Offer of Judgment was served. Any evidence of this Offer of Judgment shall be inadmissible except as provided in Rule 68 of the Federal Rules of Civil Procedure.

In the event that this Offer of Judgment is not accepted and the verdict or determination is favorable to Defendants, as defined under rule 68, then Defendants shall apply for costs, including reasonably attorneys' fees, as are compelled after the date of this Offer of Judgment by Plaintiff's non-acceptance of this Offer of Judgment, as allowed by Rule 68.

Dated: June 27, 2023



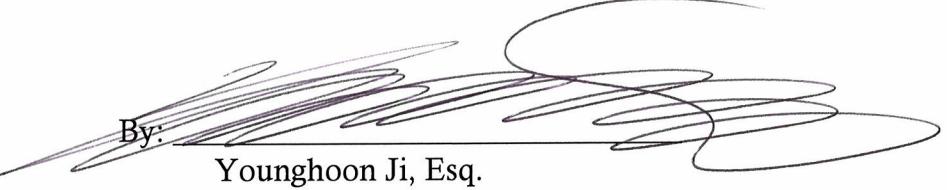
Younghoon Ji, Esq.
Ahne & Ji, LLP
45 East 34th Street, 5th Floor
New York, New York 10016
Email: yji@ahnejillp.com
Attorneys for Defendants

CERTIFICATE OF SERVICE

I hereby certify that on June 27, 2023, I caused service of Defendants' Offer of Judgment Pursuant to Rule 68 to be served, via electronic mail, upon Plaintiff's counsel of record in this matter:

Ryan Kim, Esq.
Ryan Kim Law, P.C.
222 Bruce Reynolds Blvd. Suite 490
Fort Lee, NJ 07024
Email: ryan@ryankimlaw.com

By:


Younghoon Ji, Esq.